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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,366	04/04/2001	Ronald Z. Szoc	06133.0003.NPUS01	1399

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HOWREY LLP  
C/O IP DOCKETING DEPARTMENT  
2941 FAIRVIEW PARK DR, SUITE 200  
FALLS CHURCH, VA 22042-2924

EXAMINER
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PATEL, JAGDISH

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 05/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/825,366

Applicant(s)

SZOC ET AL.

Examiner

JAGDISH PATEL

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,12-15 and 25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,12-15 and 25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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**DETAILED ACTION**

**DETAILED ACTION**

1. This communication is in response to amendment filed 2/27/06.

***Response to Amendment***

2. Claims 1,14,15 and 25 have been amended. Claims 1, 12-15 and 25 are currently pending.

***Response to Arguments***

3. Applicant's arguments with respect to claims 1, 12-15 and 25 have been considered but are moot in view of the new ground(s) of rejections.

***Claim Rejections - 35 USC § 103***

3. Claims 1, 12-15 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burke (The Independent article titled "Foreign Exchange: Money Talks, make sure...", Dated March 4, 2000) in further view of Officially Taken Notice.

Per claim 1: Burke (The Independent article titled "Foreign Exchange: Money Talks, make sure...", Dated March 4, 2000) in further view of officially taken notice teach a method for providing a foreign currency exchange rate quote to a client comprising:

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obtaining a current foreign currency exchange rate.. (Burke “rate of exchange fluctuate daily” p.3 para 4, inherently the current foreign exchange rate is obtained from an official source such as the currency exchange market);

accessing secondary information; (rate without or without commission, ..impose either flat fees ..such as 1 per cent on 10 currencies);

calculating a modified foreign currency exchange rate quote based on the current foreign currency exchange rate and the accessed other information; (rates the tourist gets is based on the official or the currency market exchange rate and the fees);

providing the modified foreign currency exchange rate to the client..( rates the tourist gets is based on the official or the currency market exchange rate and the fees).

Burke fails to explicitly teach that the current foreign currency exchange rate from a quote source and providing the modified foreign currency exchange rate quote to the client over the computer network.

However, official notice is taken that providing foreign exchange quotes based upon other information such as buy/sell spread, agent fees and commissions etc. are customary, old and well-known practices. It would have been obvious to one of ordinary skill in the art to modify Burke in view of the officially noticed facts, since it would provide a fast, accurate and reliable method of satisfying need of the foreign exchange rate quote of the clients.

Per claim 12: Burke explicitly teaches that the accessing other information comprises at least two rate-specific information (variable charges and currency available).

Per claim 13: Burke explicitly teaches defining a period of time during which the modified quote will be valid because the it recites that the rates of exchange fluctuate daily.

Per claims 14 and 15: the settling rate is the rates paid by the client is based on the modified foreign exchange rate quote .. (Burke, p. 3 “..rates you pay”), whereas receiving a request as recited in claim 15 is inherent because Burke discloses providing rate quote by Banks etc. to a client.

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Claim 25 recites an apparatus, which performs the process recited in method claim 1. All limitations of the apparatus are explicitly analyzed in corresponding method steps of claim 1 as above.

***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAGDISH PATEL whose telephone number is (571) 272-6748. The examiner can normally be reached on 800AM-600PM M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 517-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jagdish N. Patel

(Primary Examiner, AU 3624)

5/15/06